

**Testimony**  
**Senate Bill 2085-Department of Human Services**  
**Senate Human Services Committee**  
**Senator Judy Lee, Chairman**  
**January 15, 2013**

Chairman Lee, members of the Senate Human Services Committee, I am Jennifer Barry, the Early Childhood Services Administrator with the Department of Human Services (Department). I am here today in support of Senate Bill 2085, which was introduced at the request of the Department.

This bill is designed to accomplish multiple goals. The passage of this bill would revise the definition of "family child care," add a definition of "school-age children," update the regulation on smoking based on new state law regarding smoking in public places, and update the provision of the Early Childhood Services Advisory Board.

Section 1 of the bill revises the definition of "family child care." Currently, family child care providers are allowed to care for seven children, of which no more than three may be under the age of 24 months, plus two additional school-age children before and after school and all day when school is not in session during the regular school year. This bill would remove the limits on when family child care providers could care for the additional school-age children. It would also increase the capacity of licensed family providers to care for school-age children during the summer months when school is not in session and there is a need for safe care arrangements for school-age children with working parents. Section 1 of the bill also creates a definition of school-age children.

Section 2 of the bill provides necessary language to update the smoking prohibition so that the early childhood services law reflects the recent changes to state law regarding smoking in public places.

Section 3 of this bill is in regard to the Early Childhood Services Advisory Board. The board was created in 2009 by House Bill 1472 for the purpose of advising the Department through a review of the early childhood services rules. The board was given an effective date through June 30, 2013. The Department has found the advisement of the advisory board to add much value to the administrative rules process. This bill would remove the sunset date of N.D.C.C. § 50-11.1-15 and would update the provision of the Early Childhood Services Advisory board.

This concludes my testimony. I am happy to answer any questions you might have.